Morning Oregonian.

VOL. X. PORTLAND, OREGON: WEDNESDAY MORNING MARCH 9 1870. NO 29

The Daily Oregonian.

STUART L. PITTOCK, Proprietor.

THE DAILY MORNING OREGONIAN published every day, except Sunday and delivered by carriers to subscribers in Portland at 37½ cents a week. Single copies 12½ cents. By Mail or Express, to any part of the State at $10 per annum in advance; $5 for six months; $3 for three months. To subscribers at the rate of $12 per annum. THE WEEKLY OREGONIAN containing a selection of the best articles in the Daily will be published every Saturday morning, and forwarded by Mail to any part of the State at $3 per annum, $2 for six months, and $1 for three months, in advance. No subscriptions received for a shorter time than three months. The date printed upon the address label of each paper shows the date to which it is paid. Subscribers should renew at least two weeks before the date expires, or the paper will be discontinued. Specimen copies sent free. Subscribers should address STUART L. PITTOCK, Portland, Oregon. AGENTS—L. P. FISHER, 629 Washington Street, San Francisco.

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DR. R. B. WILSON, Office No. 5 Clark Street, (Up-Stairs,) Between North Fourth street, Seventh and C. dawtf

REMOVAL.

DR. WM. H. WATKINS Has removed his Office to the Odd Fellows' Building, corner of Alder and First streets. dtf

DR. CHS. SCHUMACHER, Physician, Surgeon and Accoucheur. Graduate of the University of Georgia Augusta University in Gottingen, Germany OFFICE AND RESIDENCE—99 FIRST STREET, Between Ankeny and Burnside, Portland, Oregon. Refers to Dr. Bartleib's Drug Store, Portland, Oregon. feb2dtf

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JOHN C. CARTWRIGHT, Attorney-at-Law. Will practice in all the Courts of the State. C. B. UPTON.

C. B. UPTON, Counselor-at-Law, [illegible] Building, Portland, Oregon

WILL GIVE AN ABSTRACT OF LAND TITLES [illegible] and give [illegible] attention to [illegible] Office—Second street, between Morrison and Yamhill, Portland, Oregon. jan1dtf

[illegible] Counselor at Law, [illegible] Oregon, opposite the Custom House. dtf

C. P. MASON, Attorney at Law, 102 Front St., PORTLAND, OREGON. dtf

CHAS. CHENOWETH, Attorney-at-Law, CORVALLIS, OREGON dtf

D. W. LIGHTENTHALER, Attorney-at-Law, [illegible] OREGON.

WILL GIVE SPECIAL ATTENTION TO PROBATE [illegible] Collections promptly [illegible] dawtf

[illegible] Notary Public

MALLORY & FECHHEIMER, ATTORNEYS & COUNSELORS-AT-LAW, And Solicitors in Bankruptcy. Rooms in Temple, No. 101 First St., Portland [illegible] Special attention paid to collections. tf

JAMES F. BROWN, Attorney and Counselor-at-Law. EUGENE CITY Will practice in the English, French, German and [illegible] Courts. d22dflp

J. J. HOFFMAN, ATTORNEY AND COUNSELOR-AT-LAW. Office—No. 9 and 10, Carter's Building, cor. Alder and Front Sts., Portland, Oregon. dawtf

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J. M. KEELER, BROKER AND N. W. COMMISSION AGENT, [illegible] OFFICE AND SHIPPING OFFICE, [illegible] FOURTH STREET, New York City. [illegible] and Shipping Direct and for the Sale of Exports. [illegible] respectfully solicited. [illegible] Sale of Insurance, 5 per cent. [illegible] of Bonds for Oregon [illegible] to McCRACKEN, MERRILL & CO., Portland, Oregon. ap30dtf

CHARLES DIMON, COMMISSION MERCHANT FOR Buying, Selling and Forwarding all kinds of Merchandise No. [illegible] 181 FRONT ST., NEW YORK Refers to [illegible] Ladd & Tilton, Knapp Burrell & Co, Corbett & Co, Portland, R. M. Wade, Esq., Salem; [illegible], Dallas. fo28dly

Victoria.

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NOTICE. UNTIL FURTHER NOTICE THE PEOPLE'S TRANSPORTATION CO.'S STEAMERS ALERT AND SENATOR WILL LEAVE PORTLAND DAILY (Sundays excepted) AT 5 O'CLOCK A. M. AND 2 O'CLOCK P. M. FOR OREGON CITY, CONNECTING AT 7 O'CLOCK A. M. WITH BOATS FOR SALEM, ALBANY, AND CORVALLIS, ON MONDAY, TUESDAY, THURSDAY and FRIDAY AND FOR Dayton, Lafayette and McMinnville, ON MONDAY, WEDNESDAY & FRIDAY. A. A. McCULLY, President. November 27, 1869 n27dtf

OREGON STEAM NAVIGATION CO'S NOTICE! BOATS OF THE COMPANY WILL leave Portland as follows

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N. B.—BOATS FOR TRANSPORTATION OF STOCK in readiness when business offers.

J. C. AINSWORTH, jan4dtf Pres't O. S. N. Co

STR. CARRIE WILL LEAVE WASHINGTON STREET WHARF for MONTICELLO AND FREEPORT On Monday, Thursday and Saturday, At 8 o'clock A. M.

RETURNING—Will leave Monticello at 7 o'clock A. M. on Monday, Wednesday and Friday.

On MONDAYS and TUESDAYS will run the Columbia river side of the Island, touching at QUINN'S LANDING, LEWIS RIVER, also, LAKE RIVER LANDINGS

For Freight or Passage apply on board Portland, November 1, 1869 o14d1m

FOR ASTORIA VIA MONTICELLO. The new Side-Wheel Steamer MARY BRUNT, R. C. SMITH ..... MASTER, WILL MAKE TRI-WEEKLY TRIPS BETWEEN Astoria and Portland via Monticello and all intermediate Landings.

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For Freight or passage apply on Board or to S. S. Stone, American Exchange Wharf, foot of Washington street jan26dtf

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WE ARE FULLY PREPARED TO RECEIVE Consignments of Goods to be Forwarded to all points in Oregon, Idaho, Montana and Owyhee, and can offer superior inducements to shippers by having a large Fire Proof Warehouse For the Storage of goods, and a long experience which enables us to make shipments at the very lowest rates. All matters connected with the Forwarding and Commission Business promptly attended to. Consignments solicited. Mark goods, Care J. R. F. U.

Always on hand a full Assortment of Groceries, Provisions, and Clothing MECHANICS MINERS' & BLACKSMITHS' TOOLS, Also a large Stock of IRON AND STEEL, Which will be sold LOW FOR CASH d24dtf JOHN R. FOSTER & CO

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WELLS, FARGO & CO.'S Fast Freight Line TO IDAHO! SUMMER ARRANGEMENT.

ON AND AFTER AUGUST 1ST, 1868 OUR RATES for FAST FREIGHT (on 50 pounds or upwards weighing not less than 46 pounds per cubic foot) will be as follows.

From Portland to La Grande		12 cents per pound
" "	Dalles	13 " "
" "	Baker City	16 " "
" "	Elk-radio	18 " "
" "	Boise City	19 " "
" "	Idaho City	20 " "
" "	Silver City	27 " "

Until further notice WELLS FARGO & CO au4dtf

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CONSIGNMENTS OF GOODS TO BE FORWARDED to all parts of the Mines in Oregon, Owyhee, Montana and Idaho solicited. FIRE PROOF WAREHOUSE connected with the business. Mark Goods at Portland J. M. L., U. Ferry, San Francisco, send Bills Lading to P. B. & H. Co., Portland. REFERENCE—Jacob Underhill & Co., S. F. Henry Failing and H. W. Corbett & Co., Portland. dtf

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WM. BECK, IMPORTER AND DEALER IN FIRE ARMS OF every description. Fishing Tackle and Fancy Goods, etc. begs to call on the public that he has just received a new stock of the above from New York, comprising Bead Baskets, Bead Jewelry and Beads of all kinds, Lancaster Traveling and Work Baskets, Babies Carriages, three and four wheels; also, a fine assortment of Bird Cages, Fishing Rods, Reels, Hooks and Lines of all kinds, also the following new style Revolvers: Eagle Smith & Wesson's Sharp's, My Friend, National Ladies Companion, Allen's, Marston's, Remington's, Manhattan, Smithsonian's and Cooper's. Winchester's Repeating Rifles, eighteen shooters, and a complete stock of Sporting Apparatus. *ALSO* Agent for the Wheeler & Wilson Improved Family Sewing Machines. Machines repaired and warranted. Orders from the country promptly filled. jan1dtf

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INTEREST allowed on TIME DEPOSITS or TRUST FUNDS in sums of One Dollar and upwards from Date of Deposit.

MONEY LOANED on approved Security.

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COLLECTIONS made and proceeds promptly remitted.

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Savings! Savings! FIRST NATIONAL BANK OF PORTLAND. SAVINGS DEPARTMENT!

THIS BANK has established in connection with its general Banking business, a SAVINGS DEPARTMENT, and will allow interest on coin deposits made in accordance with the conditions adopted by this Bank.

In establishing a SAVINGS DEPARTMENT this Banking Association has in view the benefits to accrue to a class of persons having small sums to loan by providing a safe place of deposit ample security and fair rate of interest as well as to aggregate and bring into use this capital.

For the safety of deposits in this Bank, are pledged its entire capital and resources, and also the personal liability of its Directors and Stockholders as provided by Section 12 of the National Currency Act, approved June 3d, 1864, a greater security than that given by ordinary Savings Banks. Printed copies of the conditions upon which deposits are received, may be had up on application to the Bank. HENRY FAILING, President.

JAMES STEEL, Cashier

Directors:

HENRY FAILING, HENRY W. CORBETT, D. H. WAKEFIELD, JAMES STEEL, A. WILLIAM VAN SCHUYVER

Portland, October 8th, 1869 dtf

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DRAFTS issued on all the Branches and Agencies; Approved bills negotiated or collected. Interest allowed on Deposits.

EDWIN RUSSELL, Manager Portland, April 10, 1867 dtf

Fire Insurance.

FIRE AND MARINE INSURANCE. UNION Insurance Company OF SAN FRANCISCO, Nos. 416 and 418 CALIFORNIA ST.

STOCKHOLDERS INDIVIDUALLY LIABLE.

CASH CAPITAL, $750,000 DEPOSIT IN OREGON, $50,000.

Losses Promptly and Equitably Adjusted and Paid in Gold Coin.

THIS COMPANY HAVING COMPLIED WITH the laws of Oregon, by making a Deposit of Fifty Thousand Dollars is now prepared to effect Insurance against LOSS OR DAMAGE BY FIRE, and also against MARINE AND INLAND NAVIGATION RISKS on liberal terms.

GUSTAVE TOUCHARD, President. CHARLES D. HAVEN, Secretary

General Agency for Oregon and Washington. FIRST NATIONAL BANK. E. D. HACKENSTOS, Special Agent, 93 Front Street. Portland September 22 1869 s22dtf

HOAGLAND'S NEW PATENT SHAFT COUPLING! W. E. COOPER HAS PURCHASED THE RIGHT FOR THIS County of the above Patent and will hereafter use it in the construction of all the Vehicles manufactured at his Carriage Factory, Corner of Second and Morrison Streets.

He respectfully refers to the following C A R D.

Having examined the New Patent Shaft Coupling invented by H. R. Hoagland we feel pleasure in informing the public that in our opinion it is the safest and best method of connecting shafts or tongues to all vehicles that has ever been used.

It fastens without bolt or screw, and is therefore easily and speedily separated. It rests on Gutta Percha so as to be entirely free from the rattling sound which so often disturb a restless horse. It is easily changed so that the shafts or tongues may be detached in an instant, and is convenient, safe and secure.

It is easy to change to this style of coupling any buggy or other vehicle now in use and with small expense. We have come to the conclusion to use this new invention ourselves and recommend its use in all cases. We consider it far superior to the Brewster Patent, heretofore considered the best in use.

J. A. CHALMAN	JOHN McKEAN
H. D. GREEN	I. C. FULLER,
H. O. LEONARD	I. P. W. QUIMBY
MILLER & ACKER	Wm. SHERLOCK,
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C. A. GODDARD m9dtf

HORNE'S PATENT SINCH FASTENER! CAN BE USED ON PACK, RIDING AND SIDE Saddles. As it lengthens tightens the girth with ease. It is very simple in construction, is very different from the old method of fastening. It is very convenient and is very little more than the old method. State, Territorial and County Rights for Sale. For the Pacific States and Territories address C. H. HORNE, Astoria, Clatsop County, Oregon. All letters should be addressed C. H. OSBURN & CO., Astoria, Oregon. Care of Messrs. Barrett, Stacey & Ballard, Newark, N. J.

We respectfully refer to the following named gentlemen: Having examined the New Patent Shaft Coupling Hoagland Invention by H. R. Hoagland, we take pleasure in informing the public that in our opinion it is the safest, best and best method of tightening a saddle girth that has ever been in use. It also has an advantage over all others in use in being able to tighten your saddle girth with great dispatch. C. HOPKINS, H. KILLIN, J. B. SPRENGER, JOHN NATION, J. B. CONGLE, JNO. M. DRAKE, FAHD & KNOTT, N. TUWINO, D. W. LOWELL, A. C. GIBBS, GEN. GEO. CROOK U. S. A., E. D. SHATTUCK. jan1dawtf

By Overland Telegraph.

[DISPATCHES TO THE CHRONICLE]

EASTERN DATES TO MARCH 7

CONGRESSIONAL

WASHINGTON, March 7.—In the Senate the memorial of N. J. Forrest for compensation for the [illegible] guaranty, the treaty with Mexico was [illegible] and referred. [illegible] Committee [illegible] resolutions.

The Military Committee was [illegible] report the facts of the Indian massacre [illegible] Black Kettle, saying party in Nebraska last summer.

Morton introduced a bill [illegible] representation in Congress. It [illegible] the same conditions as in the case [illegible] referred to the Judiciary Committee. Also, [illegible] giving officers of the army [illegible] duty in institutions the same pay and allowances as though in active service, referred to the military Committee.

Harlan, from the Committee on Indian Affairs, reported a bill which provides for carrying into effect the treaty of July 1866 between the United States and Cherokee Indians. It provides for the purchase of all the lands of the Cherokees lying in Kansas, and those lands in the Indian Territory west of the ninety sixth meridian, for the sum of $2,000,000.

The funding bill was taken up. Bayard opposed the establishment of foreign agencies. He attributed the difficulty afflicting the country to the financial policy of the Republican party in issuing paper currency and in the exemption of new bonds from taxation, and to the expenses of $12,000,000, which, in connection with their issue, is grossly excessive. One third of the amount, he thought, would be a liberal outlay. Howe spoke in criticism of the bill. He thought the funding provision supererogatory as all the authority that could be conferred on the Secretary of the Treasury by Congress was given by the act of April 12, 1866. He also objected to the proposition compelling the new banks to take four per cent bonds, while the existing banks should have four and a half per cent.

The Senate took a recess till evening.

At the evening session bills passed appointing managers of the National Asylum for Disabled Volunteers, and authorizing the Secretary of War to take charge of the Gettysburg and Antietam national cemeteries.

The funding bill was then proceeded with. Corbett advocated his proposition for the issue of thirty five year bonds, bearing interest for the first three years at six per cent, the next six years at five per cent, and the next six years at four and a half per cent, and the following twenty years at four per cent. This would insure a uniform bond.

Cole made some remarks on the necessity of the prompt extinguishment of the national debt and opposing any postponement of its liquidation.

Scott gave notice of an amendment which he proposed to offer. Adjourned.

In the House a number of bills were introduced and referred, among which was a bill for the speedy removal of political disabilities from all citizens of Mississippi, and a bill to divide California into two judicial districts.

Clarke introduced a joint resolution for the organization of a Territorial government for the Indian Territory, and the full recognition of the Cherokees and Choctaws as citizens of the United States.

Washburn, of Wisconsin, offered a resolution authorizing the Postal Telegraph Committee to inquire into the whole subject of telegraphing in the United States, and to send for persons and papers. The House refused to second the previous question—41 to 75, and the resolution went over.

Sawyer offered a substitute for the Cessna resolution instructing the Military Committee to inquire into the appointment of a military cadet from Boston and a naval cadet from New York, both credited to the Sixteenth Congressional District of Pennsylvania. Logan said the resolution conflicted with the action of the House last week. As it affected ex-members, the House refused to order the main question and the resolution went over.

A resolution was offered by Bingham for the payment of counsel fees, etc., incurred by Butler of Massachusetts, in defending a suit brought against the United States by Charles Wooley for his action as a member of the House, etc., not to exceed $2,000, referred to the Judiciary Committee.

Various resolutions of inquiry were presented.

A resolution was adopted instructing the Committee on the District of Columbia to report a bill repealing the charters of Washington and Georgetown and provide a system of government bringing everything relating to the Capital of the country under the immediate control of Congress and the Executive.

Stokes, rising to a privileged question presented a resolution allowing Golladay to withdraw his resignation to the Governor of Kentucky, the latter having refused to receive it. He desired the resolution to be referred to the Judiciary Committee. The Speaker read a letter from Mr. Golladay, stating that he had withdrawn his resignation and was inviting the fullest investigation into any charges against him, also, a telegram from Gov. Stevenson refusing to accept the resignation, on the grounds that it was his duty to demand such investigation. A discussion ensued on the propriety of receiving the resolution. Finally the House decided, in accordance with the view expressed by the Speaker, that the resolution involved no question of privilege, it being a stranger to the House and no longer a member of the House, therefore he refused to entertain the resolution. Davis, of New York, offered a preamble setting forth the importance of determining the question whether a member present during the session may resign his seat without the consent of the House and thereby evade his duties and responsibilities, and a resolution instructing the Judiciary Committee to inquire and report what action or rule is necessary for the determination of the question.

The House resumed consideration of the Georgia bill. Paine offered an amendment that nothing in the bill shall be construed to prolong or renew the term of office of the Representatives from Georgia. Beckwith withdrew his substitute believing no legislation necessary. Bingham offered the bill and offered an amendment that nothing contained in the bill should be construed to vacate any office now filled by virtue either by election or appointment nor extend the legal term of any officer nor deprive the people of Georgia of the right to elect Senators and Representatives in 1870. He declared he would not consider himself disheartened and a perjured man if he ever recorded his vote in favor of the bill. Without these limitations he believed the passage of the bill would endanger the Fifteenth, Fourteenth and perhaps the Thirteenth Amendments. Davis of New York advocated the bill and defended the character of Gov. Bullock.

The Speaker announced a number of appointments on various committees and the House adjourned.

Whittemore a Candidate for Re Election

CHARLESTON, S. C., March 7.—Whittemore replies to a letter defending his sale of cadetships and announcing himself a candidate for re election. He says it is not devoid of proofs have satisfied him that his resignation was a hasty and unnecessary step. He says I gave him the letter that the day after my resignation he did not request him to withdraw it, as my mind was wrong. He had [illegible] will be returned to Congress and he would like the first vote to secure my return.

Senator Revels delivers a lecture

HARTFORD, March 7.—Senator Revels, [illegible] lectured last night at the Methodist Church to a good audience this [illegible] when white [illegible] lecture was [illegible] and [illegible] upon the face of the [illegible] and was [illegible] with practical sound advice. He [illegible] the elements and [illegible] on my and the [illegible] that the colored people must be true [illegible] they themselves and the Republican party.

NEW ORLEANS, March 7.—The Legislature met in extra session to-day.

New York News.

NEW YORK, March 7.—The reception to Sherman took place at the City Hall this afternoon. He made a brief speech complimentary of the city as the metropolis of the Western continent.

The trial of McFarland is set for the first Monday in April.

John A. Phillips, an Englishman, for a long time past Deputy Collector of Internal Revenue in the Fifth District, has absconded. Default having been discovered defrauding the Government of $30,000 during the past ten months.

Miscellaneous

MADRID, March 7.—The steamer *Great Britain* [illegible] coming up the Mediterranean [illegible] Spanish [illegible] two of the crew were drowned. The captain and another were saved.

CUBA, March 7.—The United States Marshal received instructions from Washington to [illegible] the eastern district of Mississippi into [illegible] preparatory to taking the new census.

JACKSON, Me., March 7.—Republican Mayor [illegible] Democratic Mayor at Bath. A Democratic [illegible] but the Republicans had a majority.

WASHINGTON, March 7.—Pratt, Graham, was commanded to day as Marshal for Idaho. The House Committee on roads and canals has agreed to report a bill authorizing the Commissioners of Railroads from North Carolina via Louisville to St. Louis. The capital stock is $40,000,000.

D. L. Paul, Minister from Venezuela, died suddenly to day of apoplexy. He only arrived this morning, and his arrangements were just made for an interview with the Secretary of State.

CHARLESTON, March 7.—The steamer *Eagle* from New York to Havana is aground on Bubie Island. It is feared she will be a total loss. The passengers and crew are doubtless saved.

BY THE CABLE.

LONDON, March 7.—The fact is encouraging, that sailing vessels which left New York before the *City of Boston* are just arriving. The managers of the line think the steamer's engine broke down soon after sailing and she would be obliged to depend on sails with which she was not very well supplied.

Dispatches from Rome report that the antagonists to the Papal infallibility dogma of the council, some of whom had threatened to withdraw, have now determined to remain in view of the growing opposition to that dogma.

The French officials have as yet produced no evidence of the existence of the plot against the State and the life of the Emperor, and the report is now considered a fabrication by the police.

A meeting of the representatives of the Press Association is summoned to consider what action is required of public journals in consequence of the continued mismanagement of the telegraphic service of the postal authorities.

In the Commons, the Irish land bill was the special order. Gladstone opened the debate by stating that measures for the protection of life and property in Ireland would follow the land bill. He then moved a second reading. Bryan, member from Kilkenny, in moving a second reading of the bill, to take place in six months hence, expressed regret at the inadequacy of the [illegible], and in this connection he [illegible] that the lease tenure of thirty years was insufficient for the emergency. Distress for rent must, he said, be abolished, and tenants must hire directly from the owner. The member from Tipperary, while applauding the motives which had governed the Ministers, and the general outlines of the bill, seconded the motion of Bryan. Hargote, member from Londonderry, in opposition to the bill, demanded of the Government a representative instead of a conciliatory policy on the Irish question. The debate was monopolized by the Irish members. Fortescue, Chief Secretary for Ireland, defended the bill as the simplest and most complete remedy yet presented for the ills of Ireland. It would greatly enlarge the proprietary interest among the agricultural classes. Ball, member from Dublin University, said the bill perpetuated a vicious system which violated the principles of political economy. On compensation it was unsound, but the rate was too high. Bargains binding on posterity, with unalterable conditions, were bad. Ireland's only want was institutions as prosperous as those of England.

DUBLIN, March 7.—Great preparations are being made in the north of Ireland for the reception of the Prince and Princess of Wales.

BERLIN, March 6.—The weights and measures of Germany are to be assimilated immediately. Coinage is also to be established on a more convenient basis.

MADRID, March 6.—In the Constituent Cortes, on Saturday, Prim reaffirmed his opposition to the Duke de Montpensier, and declared that the entire Ministry with the exception of Admiral Topete, were anti-Montpensier. His statement has given the latter gentleman offence, and he has tendered his resignation, but it has not yet been accepted. The Unionists are furious against Prim and are doing their utmost to encourage Topete. A ministerial crisis is imminent.

PARIS, March 7.—Renan has been restored to the Professorship in the College of France.

CALIFORNIA

From San Francisco

SAN FRANCISCO, March 7.—The case of Chas. Tomasini vs. the Contra Costa Steam Navigation Co., was called for trial in the Twelfth District Court to-day. Action was brought to recover from the defendants damages in the sum of $40,000 for injuries suffered by the explosion of a locomotive at Haystack near Petaluma Aug. 27th, 1866.

At an early hour this morning, officer Fitzgerald saw three men attack a young man named Marshall Hastings. They knocked him down and robbed him of his gold studs and sleeve buttons. He caught one near the spot and afterwards arrested two others who are charged as being guilty with him. Their names are Murray, Gavin, and Ward.

FRANCIS'S PARSIMONY. The following is an extract from the eulogy of George Peabody, pronounced at the grave by Robert C. Winthrop:

It would be doing grievous injustice to our lamented friend were we to deny or conceal that there were elements in his character which made his own warfare in this respect a stern one. He was no stranger to the love of accumulation. He was no stranger to the passion for gaining and saving and hoarding. There were in his nature the germs, and more than the germs of enormous and even parsimonious; and sometimes they would sprout and spring up in spite of himself. Nothing less strong than his own will, nothing less indomitable than his own courage could have enabled him by the grace of God, to strive successfully against that greedy, grudging avaricious spirit which so often boasts the talent for acquisition. In a thousand little ways you might perceive to the last how much within him he had contended against how much within him he had overcome and vanquished. All the more glorious and signal was the victory. All the more deserved and appropriate are these trappings of triumph with which his remains have been restored to us. Your brow, him of his richest laurel, you refuse him his brightest crown when you attempt to cover up or disguise any of those infirmities any of those acquired habits any of those besetting temptations against which he struggled so bravely and so truthfully unless, indeed, if you please every person in his inner chamber of his earlier or later life which friends have ever witnessed, if ever within sound any of which malice has ever whispered or hinted at—and make we know has not spared him in more ways than one—and you have only added to his title to be received and remembered as a hero and a conqueror. As such a conqueror then we have ever claim from that majestic current in which that pauper made the march of our life. Let him be depicted as he was, manly, generous, and true, as he was in his home, as he was in his counting room, as he was in his relations with the mighty and the humble of his native land, as he was in the courts of princes, as he was in the courts of princes, as he was in the courts of princes

The Daily Oregonian.

WEDNESDAY MORNING MARCH 9, 1870

Vagaries of a Party Organ

It was only a fortnight since that the *Herald* was in ecstasies about the Portland, Astoria and McMinnville railroad bill. That paper went further than any other in Oregon in urging the project. In its opinion the construction of this road would do much to make Portland the great center of trade between the Atlantic States and China and the Indies. Our Senators, it stated, were entitled to the thanks of the people of Oregon for passing it. But suddenly the *Herald* has changed front. Some politician of its party has evidently given it the word of command right about face, and it has obeyed. It now asserts that the project which it pronounced so enthusiastically for two weeks since will be ruinous to Portland, and the action which it then thanked our Senators for taking it now denounces them for. Then it uttered the first favorable word for Senator Williams which ever appeared in its columns, now it accuses him of plotting in this bill against west side interests and declares that his action in the matter should defeat his re-election. So gracious was the *Herald* a fortnight since, and so truculent is it now! The bill which was to make Portland "the great center of trade between the Atlantic States and the Indies," as that paper told us a few days ago, is now, according to the same valuable authority, nothing but a "transparent political humbug." What are we to believe when our oracle is so inconsistent in its utterances?

It may hardly be worth while to notice in detail the inconsistencies of the *Herald* on this subject; but some of its statements are so untrue and ridiculous that persons who are not acquainted with the whole facts in regard to recent railroad movements may be misled by them. Therefore we give a few extracts from the *Herald*'s article of Tuesday, with comments thereon. After speaking of the litigation between the east and west side roads, it goes on to say:

> It was confidently hoped that in the end we should see both roads in operation throughout their proposed length. This hope was strengthened by news that a bill had been introduced in the lower House of Congress by Hon. J. S. Smith of McMinnville railroad fame, that paper went further than any other in Oregon in urging the project. In its opinion the construction of this road would do much to make Portland the great center of trade between the Atlantic States and China and the Indies. Our Senators, it stated, were entitled to the thanks of the people of Oregon for passing it. But suddenly the *Herald* has changed front. Some politician of its party has evidently given it the word of command right about face, and it has obeyed. It now asserts that the project which it pronounced so enthusiastically for two weeks since will be ruinous to Portland, and the action which it then thanked our Senators for taking it now denounces them for. Then it uttered the first favorable word for Senator Williams which ever appeared in its columns, now it accuses him of plotting in this bill against west side interests and declares that his action in the matter should defeat his re-election. So gracious was the *Herald* a fortnight since, and so truculent is it now! The bill which was to make Portland "the great center of trade between the Atlantic States and the Indies," as that paper told us a few days ago, is now, according to the same valuable authority, nothing but a "transparent political humbug." What are we to believe when our oracle is so inconsistent in its utterances?

It is a mistake to suppose that the bonds are mostly held by capitalists. Large sums belonging to children and widows under the order of the courts or the action of trustees, have been invested in Government bonds. The vast amounts held by fire and life insurance companies and savings banks are, in fact held in trust for and are the reliance of the great body of the active business or laboring men and women. The whole amount held in the State of New York in various forms I trust will not fall below $200 000 000. If we look into other States we shall see that only a share of these bonds are held by men known as capitalists but they belong, in fact if not in form to the business men the active and the laboring classes of society. The destruction of these securities would make a wide-spread ruin and distress, which would reach into every workshop and every district however humble. We put Horatio Seymour against Col Chapman and the Democratic press of Oregon. Which is the higher authority?

Editorial Notes

The debates in the New York Legislature, now in session, are pleasant reading. For several days recently the Democratic Assemblymen enlivened the debate on a bill relative to elections by directly charging each other with securing their seats by deliberate fraud.

The colored vote throughout the Union is to be organized at once, and *not* in the Democratic interest. The vote of Maryland is estimated at 40,000, which, under the amended Constitution, will revolutionize the politics of that State. The same result is probable in Kentucky and Delaware, the former will cast nearly 50,000, and the latter about 5 000 of these new votes.

The Democratic party, as represented in Congress, opposes all grants of land for internal improvements. In view of this fact is it not the height of impudence for Democratic organs in Oregon to be dictating in the matter of land grants? Suppose there were a Democratic majority in Congress, who supposes that, in that case, we should ever obtain a grant of land?

The Democratic paper at Eugene wails thus: "How long, Oh God, how long shall the eyes of the white people of the United States be closed to the hellish iniquities of their oppressors? When will the spirit of Tell and Winkelried rise like a Phœnix from the ashes of our liberties, and swear on their blades, if necessary, that America shall be a White Man's Country?" Pity the sorrows of a hired negro Democrat!

This Week

The publication of the *Tri-Weekly Statesman*, (Walla Walla,) has been resumed.

The amount of assessable property in Deer Lodge county, Montana, is estimated at $2,000,000.

The Omaha *Herald* of Feb. 22d says: A herd of 3,000 buffalo crossed the track of the Union Pacific above Laramie on the 18th inst., going southeast. It was believed they were driven down by the Indians, and a party of hunters started in pursuit.

Mr. Oates, a Democratic member of the California Legislature, has been blowing a good deal against the fifteenth amendment. It appears that a colored gentleman in Nevada City has had Mr. Oates for a business partner for some time, and is so indignant at his partner's course that he threatens to dissolve the establishment.

A Democratic paper in California objects to the "ruinous policy" of donating public lands for railroad purposes. Of course, California having got all she wants, objects to any being given to those who have none. Senator Casserly of that State acts on the same generous principle. If Congress were Democratic our State would obtain no land grants at all.

The Oakland, (Cal.,) *Transcript* has the following: We learn by private advices that Hon. A. D. Bonesteel, of the Pioneer Beet Sugar Works, at Fond Du Lac, Wisconsin, has completed arrangements with the capitalists of San Francisco to establish a factory in this State. They are to furnish $100,000, and he the machinery. The works will probably be erected somewhere in this county.

A letter from Fort Shaw, Montana, says: "I am confident that the Indians will not soon trouble us again. Some of them who were not killed by the soldiers did not escape their just fate otherwise. Pete is prostrated with the small pox, and perhaps dead at this hour. 'Black Eagle' is badly wounded through the hips. 'Crow Top' is dead of a wound received in a fight with the Gros Ventres."

A Deer Lodge paper of Feb. 11th says: A letter from Frank B. Decker to Mr. John Coffee, of Deer Lodge, dated Cedar Junction, Jan. 29th, principally on matters relating to a business venture at Cedar, in which they are partners, says, 'the diggings are good without a doubt. One thing sure this will be the best camp in Montana.'" Frank Decker is one of the best and most reliable of our Deer Lodge miners. The Walla Walla *Statesman* says that many at that place are preparing to go to the Cedar Creek mines.

OREGON

The number of pupils in the public school at Eugene is 180.

The *Statesman* gives an account of depredations committed in the Salem cemetery by visitors at that place.

The Dallas *Republican* makes a creditable appearance. Politically it is sound, and ought to do much for the Republican cause in Polk county.

The Dallas paper says that a numerously signed petition, asking for a new mail line from Salem via Lincoln, Bethel and Coopersville to Sheridan, has been forwarded to the Department.

The name of Democratic candidates in Lane county is legion, and even the Democratic *Guard* says that the poor masses are getting very sore handed,—so great is the amount of hand shaking.

A man named Dunn, who resides in St. Helens, fell a few days ago while going on board one of the O. & N. Co.'s boats. He struck his shoulder against the dock. The joint was dislocated and he was otherwise injured.

From the *Mountaineer*: Mr. Thomas Gerdine living at Gordon's Bridge, on the Deschutes river in this county, sold last week to a party from the upper country, fifty seven head fat hogs at $40 per head, realizing the snug little sum of $2 280 00.

On the 16th February the following resolution was adopted by the lower House of Congress:

That the Committee on Indian Affairs be instructed to transmit for the information of the House the report of the Indian Superintendent A. B. Meacham upon the Indian Affairs in Oregon dated January 20, 1870.

The village of Lewisville, situated twelve miles south of Dallas, on the Great Lucktamute Polk county, is a place of considerable business. It already contains two stores and a third one is to be opened soon. A church is being erected there this spring. A rich farming country surrounds the place and insures it a permanent support.

The *Mountaineer* has intelligence from Grant county to the effect that during last week snow fell several feet in depth on the Blue Mountains in the vicinity of Canyon City, and that the miners are jubilant over the prospect they have for an abundance of water the coming season. Times are somewhat improving and money is becoming more plenty. Some two thousand head of hogs have been sold during the winter to the Chinamen, who appear to be much increasing in number in that county. Barley and oats are worth two cents per pound, pork 12 cents, beef 10 cents, flour 5 cents, potatoes, 2 cents. Stock of all kinds look well, and the grass is excellent and never better at this season of the year.

Who is the Higher Authority?

Col. Chapman, in that pamphlet which he has just issued as a bid for a nomination, has much to say of the woes the people suffer by the oppressions and exactions of the bondholders. In this he follows a custom of his party. But is it not possible that he may be mistaken in his assumption that rich men only are owners of bonds and that the masses of the people have none of them? Let us call a high Democratic authority as a witness on this point. "It is a mistake," said the late Democratic candidate for President, in March, 1868, in answer to those of his political friends who were clamoring for greenback inflation and other destructive measures, "It is a mistake to suppose that they [the bonds] are mostly held by capitalists. Large sums belonging to children and widows under the order of the courts or the action of trustees, have been invested in Government bonds. The vast amounts held by fire and life insurance companies and savings banks are, in fact held in trust for and are the reliance of the great body of the active business or laboring men and women. The whole amount held in the State of New York in various forms I trust will not fall below $200 000 000. If we look into other States we shall see that only a share of these bonds are held by men known as capitalists but they belong, in fact if not in form to the business men the active and the laboring classes of society. The destruction of these securities would make a wide-spread ruin and distress, which would reach into every workshop and every district however humble. We put Horatio Seymour against Col. Chapman and the Democratic press of Oregon. Which is the higher authority?

LAST NIGHT'S DISPATCHES.

DISPATCHES TO THE OREGONIAN.

EASTERN DATES TO MARCH 8.

New York News.

NEW YORK, March 8.—Seven hundred and fifty men, sail makers and riggers were discharged yesterday from the Brooklyn Navy Yard. The force is being given out, work is stopped until the ship at the locks except the *Canandaigua* [illegible] Ordnance Department until after the steamship *Ticonderoga*.

Eleven prominent druggists of this city were served with processes yesterday from the United States Court, under indictment for violation of the internal revenue laws, in failing to affix stamps to bottles of imported perfumes.

A dispatch to a New York dispatch says the Viceroy of Egypt has agreed to deliver to the Sultan the iron-clads recently bought by the Egyptian Government and the Sultan has deposited $10 000 000 in bank as part payment to the Viceroy when the ironclads are delivered. The Viceroy recently received 60 000 Remington rifles from America, and it is not decided whether he will buy all or keep all of them or not.

Washington News.

CHICAGO, March 8.—The *Tribune*'s Washington special says the Banking and Currency Committee of the House will be prepared within a week to report in accordance with Logbridge's resolution of instructions, a bill which will provide squarely for the redemption of fifty millions of greenbacks. The committee believe it will be defeated in the House, as several members who voted for the instructions now say they are satisfied the vote was wrong.

Gen. Banks on the Cuban Situation.

The House Foreign Committee heard a long statement from Gen. Banks on the condition of things in Cuba. He ignored all the recent reports from the Island and the State Department or newspapers, and claims that the insurgents are doing great things and are entitled to belligerent rights. The committee will not go with him to that extent, but may possibly agree to report for the neutrality of our ports between Cuba and Spain. Even such a bill, however, cannot at present get through the house Foreign Committee.

CHICAGO, March 8.—The vote on the Georgia bill will be taken to-morrow. Opinions are divided as to how it will stand, but it will probably pass.

Carnival at Havana—Cuban Affairs.

HAVANA, March 8.—The second carnival celebration took place on the 6th. The concourse of people and carriages were unprecedented. It is estimated that fully fifty thousand persons were in the procession. Contrary to the occurrences of former years, there was not the slightest disturbance.

The Captain General has issued a proclamation in relation to Greenwold and the execution of Santa Rosa. He says that at the time of the assassination Greenwold was under the protection of the Spanish flag, that the assassin outraged the law, disgraced the flag, and has been justly executed for his crime. Although Seamana was a member of the volunteer force, the honor of the corps to which he belonged is again bright, because vindicated by the example of his punishment.

Ander Aubers, brother-in-law of the American Consul at Trinidad, who has been confined in jail on the charge of sedition, hanged himself yesterday.

The *Voce De Cuba* publishes articles to-day denunciatory of the Masonic Order in Cuba. The Masons lately arrested for holding a meeting contrary to [illegible] of the Captain General are still in jail.

Revolution in Mexico.

NEW YORK, March 8.—We have, via Havana, City of Mexico advices of March 1st. The Government is celebrating the recent victory of Escobedo, who defeated the San Luis insurgents. Escobedo and other Generals, while pursuing the insurgents on the Guadalayara road, near Rosso, February 1st, came up with the insurgent General Garcia Delano and defeated him after an engagement of four hours. Many rebel officers and 1,000 men were taken prisoners, and artillery and ammunition was captured. The fugitives went in the direction of Michoacan.

Colonel Mellindo has defeated the Pronunciados in the northern part of the State, and the Government troops have occupied the important towns in the State of Zacatecas. The rebels in other quarters are surrendering and those at Coatzacoalcos have been defeated. Gen. Comanche captured Jalapa after a short fight. The general impression is that the revolution is ended for the present, but the situation is still critical. Commerce and industry are everywhere prostrated and famine is imminent in many parts of the country.

The latest accounts from the City of Mexico state that Gen. Garcia Delano was at Logus with 2,000 men and twelve cannon, and that Gen. Martinez was at San Felipe with 1,000 men. The wife of Gen. Toledo, who was captured, has been liberated by Escobedo.

The Cuban Ambassador.

NEW YORK, March 8.—Gen. Quesada has written for the Cuban Junta a report of operations of the Cuban army during the opening scenes of the war. He claims that the governments of the United States and Great Britain are ignorant of what has happened in Cuba, in consequence of the facility with which the Spaniards can disseminate false reports. The General is expected in Washington to-day, and it is believed he will wait on the Secretary of State and present his credentials as Cuban Ambassador. There is much excitement among Cubans here and in Washington on the subject, as a number of influential members of Congress are represented to favor Quesada's pretensions.

Trial of McFarland.

NEW YORK, March 8.—McFarland was not present when his case was called yesterday, he being represented by Mr. Graham, one of the prisoner's counsel. He complained of delay occasioned by the dilatory action of the District Attorney. He gave notice that if the trial was not immediately fixed he would apply to have his client released on bail. The prisoner's health is suffering [illegible] he, and said he said he cannot be that his trial will result in anything but a triumphant acquittal, why should he be in prison. He predicts that the trial will greatly excite the public mind, and will be without a parallel in this country. A great crowd was present in the chambers and much interest was manifested in the proceedings.

NEVADA.

VIRGINIA CITY, March 7.—The Rhode Island mill, which has been undergoing repairs for some time, started up to-day on Belcher ore. Both the Sapphire and Potatuma mills are now being overhauled and placed in the best possible condition for a long run. The Stratton Overman and the latter Crown Point ore. They will be ready to start up in a few days.

Joe Maguire has been appointed Assistant United States Assessor for Gold Hill.

Weather clear and cold.

CALIFORNIA

From San Francisco.

SAN FRANCISCO, March 8.—Recent cases in which prisoners escaped from the deputy Sheriff when brought from the County Jail to court, has determined the officers to take more effective means to secure them, and to-day a list marched down chained together so that one of them could not break and run without dragging the rest after him. The appearance of the gang created much excitement, and a great crowd followed them from the jail to the doors of the City Hall.

The mining market this morning evinced more tone than for a long time. Curry rose from 150 to 200, closing at 190. Only once before in three years has this stock touched 200.

From Southern California.

LOS ANGELES, March 8.—Yesterday thirty persons left Wilmington for the gold region this side of San Diego, and to-day a party leaves this city, and to-morrow some of our prominent citizens start. Coaches are advertised to run from here direct. From the location of the mines through Los Angeles is perhaps the most advantageous route.

There is on exhibition a bunch of sixty oranges depending from a single branch two feet long.

The railroad advertises a reduction of about 25 per cent in passenger rates.

A new Lodge of Masons is to be instituted at Anaheim and dispensation is asked for. Saturday night it begins work with thirty charter members.

San Bernardino is moving in the matter of securing a branch connection with the San Diego and Los Angeles Railroad.

San Luis Obispo dates are to Saturday the 5th. The new Odd Fellows Hall was dedicated Friday night and a new Lodge organized.

The burglars who escaped from jail are reported dead from starvation.

The town has fifteen hundred inhabitants and county buildings costing twenty one thousand dollars are to be erected.

BRITISH COLUMBIA

VICTORIA, March 8.—The Bates theatrical troupe are playing nightly to crowded houses.

The Confederation terms will come up before the Council to-morrow.

A new town is to be laid out at Burrard Inlet. It is to be called Greenville.

The steamer *California* has gone to Nanaimo for coal. She is advertised to sail for Portland Friday.

Letters are constantly being received here by the Legislative Council begging for the cession of the telegraphic communication. The question must be before the Executive Council, and it is believed they will provide some means for the maintenance of the line.

The *Colonist* this morning advises manufacturers in Victoria not to start for Peace river before April.

WASHINGTON TERRITORY

SEATTLE, W. T., March 8.—The Port Orchard lumber mills were burned to the ground this morning. Loss about $80 000; supposed to be the work of Lancashire.

Messrs. Meig, Conway & Co. of Fort Madison have purchased the whole of the Lake Quinault have a large number of workmen engaged in getting out timber off the lands.

THE WEST.

There is no coal to be had at Walla Walla. A company has been formed to bring it from the mines, but it will probably be two months before it arrives.

We hear the Idaho Statesman is in charitable terms. When you see it Democratic it shows a change ahead, or it is not as strictly party as it ought to be. Democrats and Republicans alike are entitled to as much as they deserve.

Walla Walla papers report that the snow at the Warren mines is seven feet in depth. This is more snow than has fallen in that camp for several winters past. At Dry Fork there is a depth of four feet of solid snow which is considerable over an average for that district.

Democrats and other editors who have lost their official heads for unfidelity to the Republican party are at Walla Walla. They say they are traveling on a mission to "reorganize the party." The Statesman [illegible] "reorganized by throwing the rascals out." President Grant who has a short way of dealing with all holding office holders.

C. H. MACK,

DENTIST.

Office—Odd Fellows' Temple, cor. First and Alder Streets.

The patronage of those desiring superior operations is especially requested.

Nitrous Oxide for the painless extraction of Teeth.

ARTIFICIAL TEETH, better than the best and as cheap as the best. fa6dawtf

NEW TO-DAY.

SEEDS! SEEDS!!

GARDEN, FLOWER, GRASS and CLOVER

SEEDS!

WARRANTED FRESH and for sale by

JOHN O'CONNOR,

S. E. Corner First and Stark streets, Portland, Oregon.

mr8dawtf

SEED POTATOES,

EARLY ROSE & EARLY GOODRICH

THE ABOVE ARE OF OREGON GROWTH, AND are the favorites in this market.

FOR SALE BY

JOHN O'CONNOR,

S. E. Corner First and Stark Sts.,

mr8 PORTLAND, OREGON. dawtf

A. TAYLOR'S

MAIL AND EXPRESS LINE

FROM

Portland to Hillsboro, Forest Grove and Lafayette.

LEAVES AMERICAN EXCHANGE HOTEL ON Mondays and Thursdays at 6 A. M., returning on Wednesdays and Fridays.

Passengers booked and Freight received at the office at the American Exchange.

mr9dtf L. P. COLMBY, Agent.

W. WEATHERFORD. J. W. WEATHERFORD.

WEATHERFORD & CO.,

DRUGGISTS,

IMPORTERS AND DEALERS IN

Drugs, Paints, Oils, WINDOW GLASS ETC,

OFFER FOR SALE AT GREATLY REDUCED RATES a well selected Stock of Drugs, Paints, Oils, Patent Medicines, Druggists' Sundries and Painters' Goods, with an assorted Stock of FANCY GOODS, TOILET SOAPS and PERFUMERY.

Dealers and Consumers may find it to their interest to call on

WEATHERFORD & CO.

139 Front Street, Portland, Oregon.

Prescriptions Carefully Compounded.

mr8dtf2

E. P. ROSSER, C. P. FERRY,
Attorney at Law. Notary Public.

RUSSELL & FERRY,

REAL ESTATE AND COLLECTING AGENTS,

OFFICE—Corner First and Washington Sts., Portland, Oregon. dtf

NORTH PACIFIC R. R.

WE HAVE FOR SALE ON

REASONABLE TERMS,

240 acres choice Land on Lake Union, within 2 miles of Seattle;

80 acres on Lake Washington, within 4 miles of Seattle,

1280 acres on Lake Washington, located at different points, within 3 to 6 miles of Seattle.

A large list of the above Lands were selected several years ago, and are of the best.

RUSSELL & FERRY,

mr8dtf Real Estate Agents, Portland.

TREES, SHRUBS, ETC.

I AM PREPARED TO TIME TO BE PLANTED out this Spring,

Elm, Linden, and other Shade Trees;

Marshal Niel and other Monthly Roses;

Hyacinths and Lily Auratum and other choice Bulbs;

and a variety of

Fine Shrubbery and Herbaceous Perennial Flower Roots, Trees, &c.

Nursery is only two miles from the city and orders can be left at my office, corner of Front and Washington streets, or at the Nursery, on the Section Line Road, or through the Post Office, will receive prompt attention.

fe26-1m L. W. MORGAN.

A. ALLEN, E. BECKER,
Attorney. San Francisco.

NOTICE

TO ALL PERSONS DESIRING A

MARKET FOR THEIR PRODUCE:

E. CHEADLE, SAN FRANCISCO, WILL BE found at the following places in Portland:

[illegible]

L. CHEADLE, Attorney at Law, Portland, Oregon, will attend to all [illegible] with his attorney.

GOODS AT A BARGAIN,

Either at E. Cheadle's, Attorney at Law, or E. Cheadle's, San Francisco.

N. B.—Mark Goods Care E. C. & F. No. 1010 Market and Ashby St. mar8dtf

Lost.

A SMALL RED MOUSE HOUND POCKET BOOK. If any one but the owner will oblige by returning it to this Office or to the Occidental Hotel. mr8dtf

ROPE OF ALL SIZES, for sale by

H. W. CORBETT & CO.

Amusements.

ORO FINO THEATER

Messrs. BATES & MILLER
Lessees. FRED. BATES.
Manager. C. A. C. MILLER.
Treasurer. DAD ROBBINS.
Stage Manager. J. BESTOR.
Scenic Artist.

POSITIVELY THE LAST NIGHT OF THE

Wonderful Gregorys

EVERYTHING NEW TO NIGHT!

Last night of their engagement in

OLD MOTHER HUBBARD!

Which has many original and laughable features.

Last but not least,

SPIRAL PYRAMID GLOBE ASCENT

From the Parquette to the ceiling of the Theatre.

ENTIRE A NEW PRAIRIE ACTS.

REMEMBER,

We play every Evening with the LAST CHANCE, Tuesday the GREGORYS.

WEDNESDAY EVENING, MARCH 9, 1870,

FAREWELL BENEFIT OF

MLLE. GERTRUDE.

Wednesday Afternoon at 2 o'clock,

Farewell GREGORY MATINEE! For this Benefit Only.

Doors will open at 7 o'clock. Performance to commence at half past 7 o'clock.

Tenth Annual Ball

THE PORTLAND

HIBERNIAN BENEVOLENT SOCIETY

WILL GIVE A

A Grand Civic and Military

DRESS BALL!

AT THE

WASHINGTON GUARD ARMORY

On Thursday Evening March 17, 1870

Committee of Arrangements:

T. ROGERS, FRANK GATENS,
JAMES CARROL, W. P. BURKE,
A. MALOON, THOS. BRANNAN,
JAS. WILSON, J. MARTIN.

Reception Committee:

FRANK GATENS, JOHN MORGAN,
D. CAVANAUGH, A. MALOON.

Floor Managers:

E. CARALIN, JOHN BRADY,
E. BINNOTT, M. GLEASON,
T. ROBINER, CHAS. M. LAUGHLIN.

TICKETS, $2 50.

mar8dtd

FIRST ANNUAL GRAND BALL!

To be given for the benefit of the

CONC. AHABAI SHALOME

AT THE

PHILHARMONIC HALL,

On the evening of

MARCH 17th, 1870.

Committee of Arrangements:

B. FRAG, S. SCHOOL,
P. LEVIN, H. WOLFER.

Reception Committee:

F. S. OSTHEIM, S. M. LYON,
JACOB MAYER, S. HARRIS.

Floor Managers:

JULIUS STERN, J. [illegible] MAN,
J. KAHN, L. LEVIN.

MUSIC BY THE 23D INFANTRY BAND.

Tickets, $3 00; to be had of the Committee. fe26dtd

PORTABLE GAS MACHINE!

MARSH GAS

Cheap, Brilliant, Safe!

NOW OFFER FOR THE LICENSING OF OREGON AND Washington Territory a machine for Manufacturing Gas at about the same cost as to use Coal Oil, and WITHOUT DANGER OF ANY KIND. No fire or light need to approach the Gas. The Machine is simple and durable and not likely to get out of order.

It can be seen at the

Gas Fixture & Lamp Store of Wm. Reid,

Call and examine for yourself. Any Tin Smith can put it up.

fe26dawtf For Oregon and Washington Ter.

Agents Wanted

FOR

MRS. F. F. VICTOR'S GREAT BOOK,

THE RIVER OF THE WEST!

LIFE AND ADVENTURES IN THE ROCKY MOUNTains and Oregon. A Complete History of the Northwestern Slope from the Discovery of the Columbia River, with graphic descriptions of the Indian Tribes, Fur Traders, Oregon Missions, and Life of Dr. Whitman with a full history of the Life and Adventures of JOSEPH L. MEEK. The book is full of stirring incidents connected with the early settlement of the country, and is a work that should be in the home of every inhabitant of the Pacific Coast. Apply for territory to the Pacific Coast Publishers,

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CORNER SALMON AND FRONT STS.,

PORTLAND, OREGON,

AGENT FOR THE SALE of the Celebrated JENNY & SON PIANO. Which are pronounced by the National Piano forte Association, after a thorough trial in their Rooms with the first manufacturers of this country the

BEST PIANO IN AMERICA!

Also, Agents for MASON & HAMLIN'S ORGANS. Keep constantly in hand all kinds of MUSICAL INSTRUMENTS. VIOLIN and GUITAR STRINGS, which I import direct from Europe and will sell at the Trade at less than San Francisco prices.

Pianos Tuned, Repaired and Rented. fe26dawtf

HIMES & DALY,

94 FRONT ST. PRINT 94 FRONT ST.

Books, Pamphlets, Bill Heads, Letter Heads, Circulars, Programmes, Posters and Law Blanks of all kinds at Chicago prices, freight added. All kinds of Blank Books made to order. fe16ddtf

Book Agents Wanted—To Sell

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BY SAMUEL BOWLES.

THE MOST POPULAR VALUABLE AND ATTRACTIVE Book on the Great West ever published. OVER 25,000 COPIES SOLD in the first six months, and an increased demand daily. Agents will find this the best [illegible] as well as the surest book to canvass for, as it is the latest, and only full, and most graphic and exclusive territory assigned. Send for circulars, with full particulars.

Address HARTFORD PUBLISHING CO.,

fe26-1m Hartford, Conn.

REMOVAL.

WE WILL HAVE NO MORE AND NEVER TAKE A CENT LESS.

THE ORIGINAL PIONEER CHEAP JOHN

HAS REMOVED TO VAUGHN'S BRICK, corner of First and Morrison streets, where he still keeps a supply of the best

Clothing, Boots and Shoes, Hats and Caps, Tobacco, Cigars & Yankee Notions.

That king fun cures in the past for to be still continued. Call just once.

mar8dtf

Dissolution of Copartnership.

THE PARTNERSHIP HERETOFORE EXISTING between R. D. White and F. C. Pritzman, doing business as White & Co., is this day dissolved by mutual consent. All persons indebted to the late firm will please call and settle with R. D. White, who will collect all outstanding accounts and pay all liabilities of the late firm.

R. D. WHITE,
F. C. PRITZMAN.

mar8tf

Dissolution.

THE CONNECTION BETWEEN THE UNDERsigned as partners in the practice of Law has been dissolved by mutual consent.

W. LAIR HILL,
M. P. MULKEY.

fe26dtm

ANY ONE HAVING CLAIMS AGAINST THE United States will find it to their advantage to send a statement of their case to

J. T. DREW,

Counselor at Law, Solicitor before the Court of Claims, &c.

478 B Street, West, Washington, D. C. jan8dtf

Ocean Steamers

North Pacific Transportation Co.

FOR

San Francisco, Direct,

STEAMSHIP

MOSES TAYLOR,

WM. MC[illegible],

Will leave Ocean & Wharf for the above Port on

THURSDAY, MARCH 10, 1870,

At 4 o'clock P. M.

For Victoria, B. C.,

PORT TOWNSEND, SEATTLE

SEHLACOOM & OLYMPIA

STEAMSHIP

CALIFORNIA

N. H. ROGERS, Commander.

Will leave Couch's Wharf for the above ports

TUESDAY, MARCH 15, 1870,

At 4 o'clock P. M.

For Freight or Passage apply at the Office of the Company, No. 9 Fremont street.

GEO. W. WEIDLER, Agent.

JAMES B. LITTLE.

STITZEL & UPTON,

Real Estate Brokers,

Cor. FRONT & WASHINGTON Sts.

PORTLAND, OREGON.

GENERAL LAND AGENCY IN OREGON

ESTABLISHED JULY, 1868.

Have for sale Lots 1 and 2 in Block 193, corner Sixth and Clay streets.

For sale Lots 3 and 4 in Block 229, corner Park and Montgomery. Lots 2 and 4 in Block 229.

For sale by Stitzel & Upton, a fine Building Lot corner Ninth and Stark streets; price $1 000.

For sale by Stitzel & Upton, corner Front and Washington streets, a large amount of Business Property and First streets will pay a good interest on the investment.

Choice Homestead Property for sale. Situated in one of the best locations in the City. Apply to Stitzel & Upton, corner Front and Washington streets.

EAST PORTLAND.—For Sale, a large amount of East Portland property in Blocks and Lots. Apply to Stitzel & Upton, Real Estate Brokers.

A large amount of Land adjoining the town of East Portland for sale cheap.

FARMING LAND.—Washington county, for sale 16 miles west of Portland, a fine tract of land containing 320 acres, being a portion of the Speaks donation land claim; price $5 00 per acre. Apply to Stitzel & Upton, Agents.

For sale 32 miles from Portland, 213 acres, tract five miles from Hillsboro, Washington county, 150 acres under fence, 100 acres in cultivation, the balance timber land. Price $15 per acre. Apply to Stitzel & Upton, Real Estate Brokers.

Multnomah county, 25½ miles below Portland, on the Willamette river, the L. C. Potter farm, containing 320 acres, 160 acres under cultivation. Price $15 per acre. Apply to Stitzel & Upton, Agents.

50 acres of land for sale, only 8 miles below Portland, on the Willamette river. Parties desirous of procuring a small home near the city can do no better than to call and see this place. Apply to Stitzel & Upton.

Woolen and Willow Warehouse

EX EDWARD JAMES,

FROM NEW YORK.

WE ARE JUST RECEIVING A FINE ASSORTment of the above goods, viz.:

Twine, Paints, Chopping Trays, Shovels,
Well Buckets, Hoop Poles, Spades,
Half Pots, Tinned Hoops, Axes,
Pails, Barrel Covers, Knife Boxes,
Butter Moulds, Clothes Pins, Market Clothes Baskets,
Butter Bowls, Wash Boards, Potato Baskets.

ALSO.

Door Mats, Clothes Lines,
Cotton and Jute Rope, Cotton and Jute Slops,
Cotton Flax and Hemp Twine.

We call the attention of Dealers to these goods selected especially for this market and for sale at reduced rates by

E. J. NORTHRUP & CO.,

81 FRONT STREET,

PORTLAND, OREGON.

fe26

GEO. L. STORY,

IMPORTER AND DEALER IN

PAINTS, OILS, WINDOW GLASS, ETC., ETC.

No. 43 Front Street,

PORTLAND, OREGON.

feb12dtf

NEW CANDY MANUFACTORY!

ALISKY & HEGELE

BEG TO ANNOUNCE TO THEIR PATRONS AND the MERCHANTS throughout the country that they have commenced the manufacture of all kinds of

FRENCH & AMERICAN CANDIES,

Dealers will find it to their advantage to call and examine our stock and prices.

PORTLAND CANDY MANUFACTORY

No. 107 First Street (Opposite Post Office.)

PORTLAND, OREGON. Sept.

Retrenchment!

THE NUMBER OF GROCERY STORES IN PORTland is about sixty with an average of three men to each, making at least 180 men employed, receiving twenty teams constantly employed to wait upon eight thousand people. Estimate the labor per man at three dollars per day in one year it will amount to $180 000 and the rent in keeping of horses, taxes, licenses, etc., at three dollars per day for each store, and you have $65 000 more, making a total of $245 000 annually for expenses alone. This is why the grocer must have fifty per cent profit on goods.

Now we can supply the city with groceries with a saving of twenty per cent, and every wagon at present employed, $25 per day, thereby saving $25 per day. Is it rational economy which makes it necessary for us to pay $52 per day more than we should, when by a small outlay we can save it? Call and see us, and be convinced.

CATMAN & CO.

J. B. CONGLE,

66 SHORT STREET, PORTLAND.

Sept 1 1 [illegible]

SADDLERY HARDWARE,

Saddles, Bridles,

WHIPS AND HARNESS

OF EVERY DESCRIPTION.

Guardian's Sale.

BY VIRTUE OF AN ORDER OF SALE [illegible]

P. VAN FRIDACH,

FRENCH MILLINERY & DRY GOODS

STORE

No. 105 FIRST STREET

Opposite the Post Office. dtf

Auction and Commission.

A. B. RICHARDSON,

AUCTIONEER,

Corner of Front and Oak Sts.

AUCTION SALES

OF REAL ESTATE OR MERCHANDISE, CHATTELS AND HORSES.

Sale Days: Wednesday and Saturday.

mr8dtf A. B. RICHARDSON.

At Private Sale,

ENGLISH BREAKFAST and DUNDEE MARMALADE, OCTAGON CASTOR STANDS, HORSE BRUSHES, PIPES, HARPS, HAVANA CIGARS, ROSEWOOD PIANO, SHEET IRON, &c., &c.

ALSO,

Large assortment of GROCERIES.

A. B. RICHARDSON.

Regular and Peremptory Sale

OF

REAL ESTATE, FRAME BUILDINGS, GROCERIES,

GENERAL MERCHANDISE.

I will sell at my Auction Rooms

On WEDNESDAY, MARCH 9th,

At 10 o'clock A. M.,

Real Estate,

Lot 8 in Block 6, in favorable location in Portland, situated on corner of North [illegible] Lots 2, 3, 4, 5, 6 and 8 in Block [illegible]; Lots 2, 3, 4, 6, 8 and 8 in Block 24.

ALSO,

Frame Building,

TWO FRAME BUILDINGS, situated on Lot between Washington and Alder.

ALSO,

On account of whom it may concern:

25 doz. A. HOOP PAILS,
40 doz. TUBS,
28 WELL BUCKETS,
100 CLOTHES LINES,
20 cases GROUND COFFEE,
16 doz. WASH BOARDS,
20 doz. BASE BURNER PIPE,
2 lots CLOTHES PINS,
100 EMPTY KEGS,

ALSO,

10 bbls GLASS TUMBLERS,
2 crates assorted CROCKERY,
50 sacks CLOTHES BASKETS,

ALSO,

100 boxes CANDLES,
100 BOAP.

A. B. RICHARDSON,

SPECIAL SALE

OF

VALUABLE REAL ESTATE,

GUARDIAN SALE.

I will sell in front of the Court House,

FRIDAY, MARCH 11, 1870,

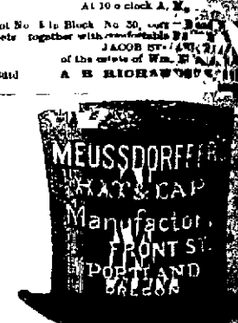
At 10 o'clock A. M.,

Lot No. 4 in Block No. 30, corner of [illegible] streets, together with comfortable dwelling.

JACOB STRAUB,
Guardian of the estate of Wm. F. [illegible]

A. B. RICHARDSON, Auctioneer.

mr8dtd



[illegible] SILK & GAMBLE,

Will be happy to see their friends and customers at their

NEW STORE,

ON SATURDAY, MARCH 5th,

We also call attention to the [illegible] styles which have arrived for the season, which are the VERY LATEST in [illegible] HAT and CAP [illegible].

Travelers Going to Europe

WILL FIND THE

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD

In connection with the

CENTRAL & UNION PACIFIC RAILROADS

THE ONLY RETURN TICKETS

Via Chicago, Rock Island & Pacific Railroad, and Central & Union Pacific Railroads, are sold by the Agents of the Company in San Francisco and Portland.

The Finest Parlor Cars in the United States are run on this route.

WHEN PURCHASING THROUGH TICKETS, be sure to call for them via ROCK ISLAND ROUTE.

Trains connect at Chicago with all Eastern Roads.

HUGH RIDDLE, A. M.,
Gen'l Supt. Chicago. Gen'l Pass. Agent, Chicago.

A. E. WILDER,
Passenger Agent, Portland.

jan 22dtf

TO THE TRADE.

IN VIEW OF THE ILLEGITIMATE [illegible] by parties on the Eastern Coast, of the [illegible] I am Sole Agent for the United States, [illegible] purchasers of the same through other [illegible] self may regulate only goods bearing my [illegible] their only protection from against them. All [illegible] and imitations I have made arrangements with [illegible] to keep on hand and in stock at all times [illegible] marked rates, a full assortment of the [illegible] A. W. Faber of Stein Bavaria, [illegible]

A. W. FABER'S LEAD PENCILS.

Together with my other specialties.

EBERHARD FABER, Sole Agent,

fl4d1m2p. 82 FABER, 132 William st., N. Y.

NEWELL'S PULMONARY SYRUP.

Past experience has

The Daily Oregonian

WEDNESDAY MORNING MARCH 9 1870

CITY.

BRIEF MENTION.—Temperature yesterday about 43 degrees, with a south wind and a little snow.

The statement published last evening that a blind boy of Mr McCue the baker was severely burned by falling upon a stove is altogether incorrect.

The Sunday prize fighters have been arrested. One of them is out on bail and the other in default of security is in jail.

Prof. Plummer the humorist has gone to the Dalles.

A team attached to a milk wagon ran away on Fifth street yesterday morning and frightened the lead ran with milk but nary a boy.

The dredger under charge of Captain Watson is about to be put to work again at Swan Island.

Dealers in drugs paints oils etc would do well to consult the advertisement of Woodbridge Ford & Co., the oldest dealers in that line in the city.

The County Commissioners will meet for business, at one o'clock this afternoon.

The grading of Morrison street is nearly complete. Several of the old graded streets are being repaired, under the direction of the Street Commissioner.

CAN'T SPARE THE TIME.—The editors of this paper are in frequent receipt of letters from various parts of the State, which the writers desire to see in print, accompanied with some such request as, "Please correct all errors of grammar etc. and publish." We are glad of course to receive letters from our friends when they have news to contribute, but we have no time to rewrite or correct. In the majority of cases the work of "correcting errors" amounts to rewriting the entire letter. This, we have not time for. Thus letters which have some merit, frequently go to the waste-basket simply because they did not come in proper shape for use. Correspondents should learn to send to newspapers only such letters (for publication) as can go to the printers without being "doctored." Send on your letters give us all the news, but do not be surprised or grieved if they are not printed. If they have a single grain of wheat among the chaff which nearly all letters have, we shall find it and use it.

ORO FINO THEATER.—The Gregorys at Oro Fino had a rather smaller audience last night than usual, but the performance was none the less excellent and varied. Master Albert performed the perilous feat of walking a globe up a spiral inclined plane both ending and back again. There were the usual varied acrobatic and gymnastic feats, and new songs, and dances by Miss Bessie, the dogs and ponies, the whole concluding with the splendid comic pantomime of Mother Bunch, in which are introduced with startling effect a number of necromantic and magic acts calculated to excite wonder and all sorts of—[illegible]. To-night Miss Gertrude will appear in a new role with a full and excellent bill of [illegible]

[illegible] Court.—Judge Deady presiding. Judge —Tuesday [illegible]

[illegible] Babbitch.

[illegible] Hour [illegible]

[illegible] Gallon, from Grand Duchess —

[illegible] Sore.—A gentleman on the wharf [illegible] account for the reason that the milk [illegible] by McCraken, Merrill & Co., [illegible] by saying that they were not [illegible] for the milk trade on this [illegible] was not adequate. [illegible] Because the top [illegible] any rain (water) from [illegible] Very near a slur at our [illegible] some

[illegible] Gone.—The next Parlor entertainment by the ladies and gentlemen of the [illegible] to be given at the chapel next [illegible] We regret to learn that this [illegible] entertainment of the kind to be [illegible] under their auspices, as no [illegible] a little been given in this city, of a [illegible] instructive and every way satisfactory [illegible]

[illegible] Reconciliation.—The New York [illegible] (Sawyer & Cole) flour, lately [illegible] from Hon. Schuyler Colfax for [illegible] friend for his family use. The letter [illegible] Messrs Sawyer & Co and is now [illegible] of the firm in this city. This we [illegible] compliment to Oregon flour.

[illegible].—The evening Mikado Gem [illegible] benefit and to-morrow morning [illegible] will go to Salem to play a short engagement [illegible] Reed's Opera House. We are [illegible] to state, however, that they will appear [illegible] before leaving the State. As usual, [illegible] crowded since this evening.

[illegible] Wanted.—If there were so many [illegible] lying idle, as has been reported, it [illegible] many of them could be obtained on any [illegible] emergency, like the unloading of a [illegible] steamboat, but it appears that none [illegible] stand to work a few hours yesterday at [illegible]

[illegible].—Mr. John O'Connor at corner First [illegible] has a very large, varied and carefully [illegible] assortment of garden flower and grass [illegible] for seed, the Early Rose and the [illegible] potatoes. For such supplies, go to his [illegible]

[illegible] Circuit Court—Deady J.—Tuesday [illegible]

[illegible] Bobbitch.

[illegible] Fly

[illegible] Hour

ECISION IN BANKRUPTCY IN U S DISTRICT COURT

OTION TO REJECT THE CLAIM OF A CREDITOR E NIED A PAYMENT RECEIVED AFTER PETITION TO BE ANCILLARY BUT NOT A PREFERENCE WHEN THE TASTING OF A PREFERENCE WITH W A F REJECTION OF THE CREDITOR S CLAIM THE TIONS TO CLAIMS MUST BE MADE BY THE ASSIGNEE, UNLESS THE COURT OTHERWISE DIRECTS

U S District Court—District of Oregon Monday, March 7, 1870

In the matter of Randall & Sunderland in Voluntary Bankrupts in Bankruptcy

On January 3 1869 Randall and Sunder and being the bona fide owners assigned all their proper ty to Foster with intent to evade the B Act On January 30 the firm of Einstein Bros & Co doing business in San Francisco filed a petition in bankruptcy in this court against R and S, praying that they might be ad judged bankrupts on account of such assign ment and on February 27 after a hearing upon the petition and answer thereto R and S were duly adjudged bankrupts for the causes stated in the petition

Afterwards Einstein Bros & Co having proved their debt amounting to $6 183 56 Winfield Peters, a creditor who had also proved his debt moved the court to reject the claim of Einstein Bros & Co for reasons stated in his objections, then filed thereto Thereupon an order was made referring the matter to Mr Register Hill with leave to Einstein Bros & Co to answer the objections within a certain time

Before the Register Einstein Bros & Co answered the objections to their claim and the objecting creditor demurred to such an swer

The Register reported, in effect, that the objections were not well taken and that the motion to reject ought not to be allowed The motion is now before the court for final disposition

From the report of the Register it appears that on February 2 1869 Einstein Bros & Co received at San Francisco $450 in coin from Foster on account of R and S and that they had a good reason to believe at that time that R and S were insolvent and that their attorney then resident in Portland acting under instructions to take such course as their interests required, had on January 30, commenced the proceedings in bankruptcy wherein R. and S were adjudged bankrupts and that before the objections of said Peters were filed said Einstein Bros. & Co had offered in writing to surrender to the assignee of the estate of R. and S the said sum of $450, and that afterwards they paid said sum to said assignee

For the objecting creditor it is claimed that this case comes within section 39 and that therefore the debt is forfeited and should not be proved

That section provides, among other things that an insolvent debtor who makes any payment with intent to give a preference to one or more creditors shall be deemed to have committed an act of bankruptcy, and upon the petition of certain creditors may be adjudged a bankrupt therefor —" provided such petition is brought within six months after the act of bankruptcy shall have been committed And if such debtor shall be adjudged a bankrupt, the assignee may recover back *the money or other property so paid* * * * provided the person receiving *such payment* * * * had reasonable cause to believe that a fraud on this act was intended and that the debtor was insolvent, and *such creditor* shall not be allowed to prove his debt in bankruptcy. In the case under consideration the payment was made *after* the petition was filed and therefore not within six months prior thereto Neither was such payment the act of bankruptcy on account of which such petition was brought and adjudication had

Taken as it reads this section does not include the case of a payment after petition brought. In point I admit, that there is no difference between a creditor who takes a preference before petition filed or afterwards, and on this ground it has been argued for the motion to reject that a preference is within the mischief intended to be prevented by the section, it should be construed so as to include it. If the premises were admitted the conclusion might follow.

So far as the creditor is concerned, a payment or transfer of property by a debtor, after petition brought, is a mere nullity, and the money or its value may be recovered back by the assignee, independent of sections 23, 35, or 39, because from the commencement of the proceedings in bankruptcy, by operation of law, the property of the bankrupt of whatever nature, not exempt from execution, vests in the assignee, and therefore the former can make no valid disposition of it. (Sec. 14. B. Act.) Einstein Bros. & Co acquired no property or interest in the money paid or delivered them by Foster. They were mere bailees of it and the assignee could have compelled them to return it or its value, without reference to their claim against the estate Besides this, the debtor making a payment or transfer after petition brought is liable to be punished by imprisonment at hard labor for a term not exceeding two years (*Sec. 44, B. Act.*)

A payment or other disposition of property by a debtor after petition brought against him is not a preference within the meaning of the act but simply an unlawful meddling with the property of the assignee It confers no rights or interest on the party receiving it and renders the debtor liable to imprisonment.

Preferences are provided for in sections 23, 35, and incidentally in 39

By 23, a person receiving a preference "*may* *time after the approval of the act*" having reasonable cause to believe that the same was made or given by the debtor contrary to the act, shall not prove the debt on account of which such preference was given until he surrenders to the assignee all benefit received by him under such preference. By its terms this section includes all preferences *whenever made or given*, and leaves it optional with the creditor to surrender and prove his debtor retain his preference and be excluded from making such proof. But as will be seen, section 35 necessarily limits the operation of this section to cases of preference received more than six months prior to petition brought, because section 35 declares all preferences made within this latter period absolutely void and as by section 14 all the property of the bankrupt is vested in the assignee from the time of filing the petition against him this section cannot be construed to apply to the case of a payment or other disposition of property by the bankrupt after such filing because the same would be void for want of interest in the bankrupt, and could not give the creditor the option to surrender or retain it.

By 35 all payments or other disposition of property by an insolvent debtor, made *within six months before the filing of the petition by or against him*, are declared void and the assignee may recover the same as assets of the bankrupt

All payments or other dispositions of property within the purview of this section are void, and the person or creditor receiving them *must* not retain or surrender them at his option, as in the case of a preference within the purview of section 23 but no penalty is imposed upon him for receiving the same

Section 39 goes farther and after providing for what causes and under what conditions a debtor may be adjudged a bankrupt declares that the creditor receiving the preference and thereby participating in the fraud which constituted the act of bankruptcy for which the adjudication was had, shall not be allowed to have his debt

In Re Princeton (1 *Law Times* 12 Mr *Justice Miller* of the Wisconsin District suggests the reason why section 39 imposes a forfeiture of the debt upon the creditor taking a preference contrary to it He says

"This prohibition as to the creditors (for bidding the proof of their debts,) is predicated on the adjudication in bankruptcy upon the allegation in the petition against the debtor And the creditor having reasonable cause to believe the alleged violation of the act by the debtor, is considered a participant in *the offense against the act*, and is therefore prohibited from proving his debt in bankruptcy.

* * It cannot be permitted to a creditor who, with reasonable cause of knowledge has participated in such fraud on the act, is *to found a proceeding against his debtor* to relinquish his intended preference and claim to prove his debt under the 23 or any other section of the Act.

This reasoning seems to assume rather than to assert that the forfeiture imposed by this section is confined to the case of a creditor who received a preference which constituted the very act of bankruptcy upon which the adjudication was had

The language of the last clause of the section gives some color to this construction It declares — the assignee may recover back *the money* or other property so paid conveyed sold assigned or transferred contrary to this act that is the money paid by the bankrupt to the creditor with intent to give a preference and which payment effected the very act of bankruptcy in order to provide that the person receiving, &c.

What reasonable assault he set and such *creditor* shall not hold it &c. has debt etc Apparently these expressions mean the money so paid or property transferred in relation to which the intent to prefer and the act of bankruptcy for which the petition was brought all the person or creditor receiving such money or payment had the reasonable cause to believe existed Either of these conditions being wanting and already taken effect the assignee may recover the debt

But I am not satisfied that the clause should be so limited in its operation Indeed it appears but just and reasonable that it should apply to any creditor who shall take a preference contrary to the act within six months before petition brought, although such preference did not constitute the act of bankruptcy for which the adjudication was had provided the person receiving such preference does not voluntarily relinquish the same but puts the estate to the trouble and expense of recovering the property to its value by legal proceedings The reasons for forfeiting the debt in the case supposed are equally as cogent as any that can be given in the case of the creditor whose preference constituted the act of bankruptcy In each case the creditor's conduct has been illegal and in addition to this innocent parties have been thereby put to unnecessary trouble and expense to obtain their rights

It may be necessary to support this view of the section that the words of the last clause — *the* money or other property so paid etc —should be construed to read *any* money or other property so paid, etc

However this may be one thing seems certain This case is not within any of these sections regulating the subject of preferences From my general knowledge of the case of R & S, I suppose that Foster sent this money in the course of business to Einstein Bros & Co before petition filed and that the latter received it afterwards from the express without knowledge of such filing the petition having been brought by their attorney They could not well help receiving the money from the express, but as soon as they could conveniently they delivered it to the assignee

The motion to reject the claim must be deemed at the costs of the objecting creditor

It will be observed that this proceeding is not taken by the assignee, but by a creditor No objection has been made to it upon that ground, and for the present it may be considered as well taken. But upon reflection I am quite satisfied that the act does not contemplate that every creditor shall have the right to object to every other creditor's claim This, it appears to me, is the proper business of the assignee, who represents the estate and all parties interested Otherwise the door is opened wide to any and every petty factious creditor, who cares more for controversy than for his debt, to delay and harrass the substantial creditors and unnecessarily prolong the settlement of the estate

Sufficient guards are thrown around the choice of an assignee, and his administration of the bankrupt's property, to justify his being entrusted, in the first instance at least, with the duty of ascertaining what claims require further investigation and what do not Again if any creditor felt himself aggrieved by the action of the assignee in this respect, he might apply to the court for a rule upon the assignee, requiring him to take the proper action in the premises, or to allow the creditor to do so in the name of the former The court has a supervisory control over the assignee, and when "necessary or expedient" may remove him (sec 18 B. Act)

Section 23 provides for the postponement of the proof of the claim before the election of assignee, but the only provision of the act on the subject under consideration is found in the last clause of Section 22 It reads

"The court may, on the application of the assignee, or of any creditor the bankrupt, or without any application, examine upon oath the bankrupt, or any person tendering or who has made proof of claims and may summon any person capable of giving evidence concerning such proof, or concerning the debt sought to be proved, *and shall reject all claims not duly proved, or when the proof shows the claim to be founded in fraud, illegality or mistake.*"

This only gives a creditor a right to apply for leave to *examine* the bankrupt or other creditor on oath, touching any matter pertinent to his interest in the estate The court as required "to reject all claims of a certain character, but at whose instance is not specifically prescribed It may be that the court of its own motion (*ex mero motu*), may reject a claim or may direct an enquiry concerning the legality of the same But as between third persons, the analogues of other similar legal proceedings, as in the case of an administrator, and the speedy and economical settlement of bankrupts estates, all point to the assignee as the proper person to make the application or objection If the contrary course were permitted there would be longer of the proceedings degenerating into a many sided, interminable squabble between the creditors, to the real benefit of no one, and the delay and injury of all concerned

DEADY J

Shattuck for motion, Stout & Fredenreich contra

Benton County Republican Convention

The Union Republican voters of Benton county Oregon will meet at the Court House in Corvallis on Saturday March 19 1870 at 1 o clock P M to delegate Convention for the purpose of electing Ten Delegates to attend the State Convention to be held in the city of Portland on the 7th of April next and also at the same time and subsequent meeting, to nominate a County Ticket The Precincts will be entitled to delegates as follows Soap Creek, 3; Corvallis, 13; Willamette, 2; Monroe 9 Alsea, 8, Pioneer 3; Yaquina, 5; Muddy 2 Philomath 8, Elk City 5 Kings Valley 5

Precinct meetings will be held on Saturday March 12 1870 to elect delegates to said County Convention

By order of the County Central Committee

T B ODENEAL, Chairman

Corvallis Feb 19 1870.

Clackamas County Union Republican Convention

There will be held at the Court House in Oregon City on Saturday the 26th day of March 18 0 at 10 o'clock A M a Republican Convention for the purpose of electing 12 Delegates to the State Convention to be held at Portland on the 7th day of April 1870, and also to nominate at the same time, or at such subsequent time as the Convention may determine a County Ticket to be supported at the approaching June election

The Convention will be composed of one delegate for each 15 Republican votes cast at the June election of 1868 and an additional delegate for a fraction of fifteen and no delegate will be entitled to a seat who shall incur the penalty of the Test Oath

Townships will be entitled to delegates as follows Beaver Creek, 3; Hardscrabble, 2; Canemah 3; Milwaukie 4 Oswego 5; Clackamas, 2; Macadam, 4 Marquam 4 Oswego 5 Sprlgwater 3 Union, 3

It is recommended that the Precinct Meetings should be held on Saturday May 19 1870 at 1 o'clock P M

By order of the Committee

OWEN WADE Chm

O K C Vaughn Sec

Marion County Union Republican Convention

By direction of the meeting of the Republican Central Committee of Marion county held at Salem on the 12th inst the Republicans of the several precincts in said county are requested to meet at their respective voting precincts on Saturday the 19th day of March 1870 and select delegates to a county convention to meet at the court house in Salem on Saturday the 26th day of March 1870 for the purpose of electing delegates to attend the State Convention at Portland on Thursday April 7th 1870 for the purpose of nominating a State ticket

Republican papers throughout the State will please copy

By order of the Committee

J H MOORE Chm

Umatilla County Union Republican Convention

The Union Republican voters of Umatilla county will meet at their respective voting precincts on the second county on Saturday the 19th day of March A D 18 0 at the hour of 1 o'clock P M for the purpose of electing delegates to the County Convention to be held in the city of Pendleton on Saturday the 26th day of March A D 18 0 for the purpose of electing five delegates to represent said county in the Union Republican State Convention to be held in Portland on the 7th day of April 18 0

The several precincts are entitled to the following number of delegates Umatilla city 8 Alta 4 Walla Walla, 5 Wild Horse 4 Butter Creek 2 Upper Umatilla, 5 Willow Creek 4 Meadows 3

By order of the Union Republican County Committee

JONATHAN SWIFT

A ting Chairman

Feb 26 1870

FINANCE AND COMMERCE

[illegible] Market

[illegible] Stock Exchange [illegible] New York [illegible]

[illegible] Produce Market [illegible] No agricultural [illegible] One [illegible] [illegible] yesterday [illegible] [illegible] [illegible]